



PATENT
Attorney Docket No.: NNM-001
(7596/2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Mayes *et al.* **ART UNIT:** 1773
SERIAL NO.: 09/308,166 **EXAMINER:** Resan, Steven A.
FILED: June 25, 1999
TITLE: MAGNETIZABLE DEVICE

TERMINAL DISCLAIMER

I, Eric Mayes, the Chief Executive Officer of Nanomagnetics Ltd. state that I am a representative authorized to sign on behalf of Nanomagnetics Ltd. (hereinafter "Nanomagnetics") identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Serial No. 09/308,166. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application, U.S. Serial No. 09/308,166, is in the name of Nanomagnetics.

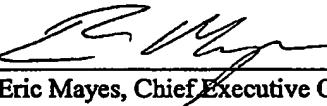
Specifically, Nanomagnetics is the owner of the entire right, title, and interest in and to the above-identified application, U.S. Serial No. 09/308,166, by virtue of at least an Assignment executed by the undersigned and Malvin Tyler, the inventors in this application, to Nanomagnetics and recorded with the U.S. Patent Office on June 25, 2000, at Reel 010990, Frame 0272.

Nanomagnetics hereby waives and disclaims the terminal part of any patent granted on the above-identified application U.S. Serial No. 09/308,166, which would extend beyond the full statutory term of U.S. Patent No. 6,713,173 issued on March 30, 2004, and hereby agrees that any patent so granted on U.S. Serial No. 09/308,166 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,713,173. This agreement shall run with any patent granted on the U.S. Serial No. 09/308,166 and to be binding upon Nanomagnetics, its successors, or assigns.

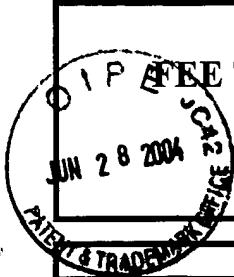
Nanomagnetics does not disclaim any terminal part of the term of patent granted on the above-identified application, U.S. Serial No. 09/308,166, prior to the expiration date of the full statutory term of U.S. Patent No. 6,713,173, in the event that said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, if any, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NANOMAGNETICS LTD.

By: 
Eric Mayes, Chief Executive Officer

Date: June 25, 2004



FEE TRANSMITTAL
FY 2004

Complete if Known	
Application Serial Number	09/308,166
Filing Date	June 25, 1999
First Named Inventor	Eric L. Mayes
Group Art Unit	1773
Examiner Name	Resan, Steven A.
Attorney Docket No.	NNM-001

METHOD OF PAYMENT	
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.	
3. <input type="checkbox"/> Applicant claims small entity status.	

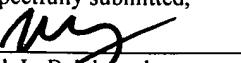
FEE CALCULATION (continued)				
3. ADDITIONAL FEES				
Large Entity	Small Entity	Fee Description	Fee Paid	
Fee (\$)	Fee (\$)	Fee Description	Fee Paid	Fee Paid
130	65	Surcharge - late filing fee or oath		
50	25	Surcharge - late provisional filing fee or cover sheet		
130	130	Non-English specification		
2,520	2,520	Request for ex parte reexamination		
110	55	Extension for reply within first month		
420	210	Extension for reply within second month		
950	475	Extension for reply within third month		
1480	740	Extension for reply within fourth month		
2010	1005	Extension for reply within fifth month		
330	165	Notice of Appeal		
330	165	Filing a brief in support of an appeal		
290	145	Request for oral hearing		
130	130	Petitions to the Commissioner		
180	180	Submission of Information Disclosure Statement		
770	385	Filing a submission after final rejection (37 CFR 1.129(a))		
770	385	For each additional invention to be examined (37 CFR 1.129(b))		
100	100	Certificate of Correction for applicant's error		
110	55	Submission of Terminal Disclaimer		55.00
Other fee (Specify)				
Other fee (Specify)				

FEE CALCULATION				
1. FILING FEE				
Large Entity	Fee (\$)	Fee Description	Fee Paid	
770		Utility filing fee		
340		Design filing fee		
160		Provisional filing fee		
	Number Filed	Number Extra	Rate	Amount
Total Claims	20	- 20 = <u>0</u>	x \$ 18.00 =	
Independent Claims	3	- 3 = <u>0</u>	x \$ 86.00 =	
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$290.00 =	
			TOTAL: .00	
			SMALL ENTITY DISCOUNT: .00	
			SUBTOTAL (1)	(\$) .00

2. AMENDMENT CLAIM FEES				
Claims Remaining After Amend.	Highest No. Previously Paid For	Present	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 86.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =	
			TOTAL: (\$).00	
			SMALL ENTITY DISCOUNT: (\$).00	
			SUBTOTAL (2)	(\$) .00

SUBTOTAL (3)	(\$) .00
SUBTOTAL (1)	.00
SUBTOTAL (2)	55.00
SUBTOTAL (3)	0.00
TOTAL	(\$) 55.00

CORRESPONDENCE ADDRESS	
Direct all correspondence to:	
Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	

SIGNATURE BLOCK	
Respectfully submitted,	
	
Mark L. Beloborodov Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110	